

APPROVED: Meeting No. 12-96

ATTEST: *Paula S. Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 06-96

February 12, 1996

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on February 12, 1996, at 7:30 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Glennon J. Harrison

Councilmember Robert J. Wright

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow (arrived at 7:58 pm).

Mayor Krasnow recognized a visitor in the audience--Elizabeth Tobey, a student at American University. The Rockville Junior Chamber of Commerce kicks off "Random Acts of Kindness Week" in Rockville and is distributing information about the Organ Donor National Center in Washington, D.C. Mayor Krasnow mentioned that during the blizzard, she was visited by Cub Scout Troop, Den 6, Pack 1753 and had recently received many thank-you notes from the scouts.

Re: City Manager's Report

1. City staff is continuing to track the Transco Pipeline clearing operation. In early January, Transco mailed information packets to all residents and businesses directly affected by the clearing operation, and a representative contacted those owners in person to further explain the details of the operation and to mark the landscaping Transco plans to

remove. Property owners who have landscaping to be removed will be offered monetary compensation by Transco. Residents are advised to watch for updated information in their March issue of Rockville Reports and to contact City Hall with any questions.

2. For the second consecutive year, the employee's newsletter City Signals has won a Grand Award in the annual City Hall Public Information Awards Competition, an international contest that honors American and Canadian cities for excellence in communicating with their employees and the public. City Signals was cited for its overall editorial excellence, appropriate design and typography, photo/illustration, printing quality, and achievement of publication goals.

3. Several weeks ago, the Mayor and Council announced a new initiative--a change in the format of the City's water utility bills to include a space for residents wishing to donate to the Rockville Emergency Assistance Program (REAP). As a result, the City has already received several hundred dollars for the program.

4. Residents are reminded that summer camp information is now published separately in the 1996 Summer Camp Guide, which was mailed to residents on January 22. The separate guide will make it easier for residents to focus on the City's popular summer programs. To date, nearly 1,100 registrations have been processed and three camps have already been filled.

5. Mr. Kuckkahn recommended that the Mayor and Council pull Agenda Item 10, adoption of a Resolution to designate the Watts Branch Stream Valley Greenway as an Urban Wildlife Sanctuary, in order to allow staff time to resolve some interim questions.

Re: Presentation of Certificate of
Appreciation to College
Gardens/Beall Brownie Troop 97

The Mayor and Council presented a Certificate of Appreciation to members of the College Gardens/Beall Brownie Troop 97 for their interest and assistance in creating new wildlife habitat and enhancement in Rockville's parks. Troop 97 is currently constructing and installing bluebird houses in City parks at the Civic Center, Senior Center, Upper Watts Branch, Woodley Gardens, and Woottons Mill Park.

Re: Report on the implementation
phase of the Master Plan for the
Arts, 1995-2001.

Cultural Arts Commissioner John Moser introduced Catherine Irwin, the new Chairperson of the Commission (CAC). Mr. Moser said the CAC was moving forward with implementation of the Master Plan and had met with representatives of the Strathmore Center, Onley Theater, and the Gaithersburg Arts Council to discuss the future of the arts. They have all agreed to work together, and Mr. Moser commented that the City of Rockville was leagues ahead of everyone else. The CAC established an Outreach Committee, chaired by Ms. Irwin, to encourage more residents in the City and County to get involved in the arts. The Master Plan Committee met with representatives of the arts

groups and concluded that no one was interested in conducting united fund drives; instead the concentration will be on arts advocacy.

Regarding the survey conducted on attendees at F. Scott Fitzgerald Theatre and Glenview Mansion performances, Mr. Moser said that audiences were well divided with 60 being the median age. Of all the participants, 60 percent came from outside the City, which, Mr. Moser said, was a disturbing statistic that the Outreach Committee will attempt to remedy. Over half of the survey participants attend more than five events. Another survey will be conducted once the Outreach Committee has completed its work. Mr. Moser also said the Master Plan Implementation Committee is interested in making recommendations for furthering arts and recreation on the King Farm.

Re: Staff Report on the Rockville Human Rights Commission's approval of the Memorandum of Understanding with the Maryland Commission on Human Relations.

Recent amendments to the City's Human Rights Ordinance have relieved the Commission of investigating and adjudicating charges of employment discrimination within the City. The Memorandum of Understanding between the Maryland Commission on Human Relations and the Rockville Human Rights Commission (HRC) details mutual responsibilities regarding the processing of charges of employment discrimination within the City. The HRC provides intake services and offers mediation to help resolve disputes, including allegations of discrimination in employment. The Memorandum of

Understanding establishes a process that will facilitate the filing and disposition of claims of employment discrimination alleged to have occurred within the City.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Ruth Hanessian, representing Rockville Kiwanis Club noted that the Kiwanis Club supported Rockville senior citizen programs, the Public Safety Awards program, Rockville Sister City, Boys and Girls Clubs, Stepping Stones and Chase Shelter, Shots For Tots, Rockville High School and Bullis' Key Clubs, Boy Scouts, Montgomery College scholarships, F-H Beef Cattle Awards, Children's Hospital, Multiple Sclerosis Society, and an international project working to decrease iodine deficiencies. Ms. Hanessian said that many of the programs were made possible through the annual pancake breakfast, a major fundraiser, and she extended an invitation to the Mayor and Council, their families and friends, to attend the event on March 9 at Montgomery College.

2. William Meyer, 804 Leverton Road regarding the Pike's Peek Road Race, said that he was still concerned about the economic impact of closing Rockville Pike during the race hours. He encouraged the Mayor and Council to not sponsor the race if a substantial economic benefit to the City and its citizens could not be shown.

Re: Appointments

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, Carol Hannaford (representing the Human Rights Commission), Bob Mentzer

(representing Rockville Seniors, Inc.), Paul Love (representing the Rockville Chamber of Commerce), and Bill Meyer (representing the SWM Advisory Committee and Traffic & Transportation Commission) were appointed to serve on the All-America City Committee.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, Richard Stoner was reappointed to serve as Chairperson of the Economic Development Council.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Doug Jones was appointed to serve as Chairperson, and Patricia Powell was reappointed to serve on the Human Rights Commission.

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, Don Boebel and Larry Giammo were appointed to serve on the Planning Commission.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, Maureen Quinn was appointed to serve on the Recreation and Parks Advisory Board.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, Kenneth Firestone and Nathaniel Woodrick were reappointed to serve on the Science and Technology Commission.

Re: Approval of Minutes

Upon motion of Councilmember Marrinan, duly seconded and unanimously

passed, the Minutes of Meeting No. 01-96 (January 11, 1996) were approved, as amended.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Minutes of Meeting No. 02-96 (January 16, 1996) were approved as written.

Re: Consent Agenda

Councilmember Marrinan requested removal of Items F, H, and I, and Councilmember Harrison requested removal of Item A. Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the following Consent Agenda Items were approved:

- (B) Award of Bid #33-96
To: Dewey East Excavating
Of: Bladensburg, MD
In the amount of: \$48,445

For: Replacement of the Potomac
Woods Park Bridge Culvert
- (C) Award of Bid #46-96
To: S. Rock/Estabrook Corp.
Of: Aldie, Virginia
In the amount of: \$44,000

For: Twinbrook Park Tennis and
Basketball Court Lighting Replacement
- (D) Award of Bid #47-96
To: The Eagle Corporation
Of: Washington, D.C.
In the amount of: \$52,000

For: Public Works Maintenance
Complex Outside Lighting Replacement

- (E) Award of Bid #49-96
To: Lamberson Associates
Of: Ellicott City, Maryland
In the amount of: \$22,790

For: Interior Renovations to Golf
Maintenance Facility

- (G) Award of Bid #51-96
To: Ray Sears & Son, Inc.
Of: Davidsonville, MD
In the amount of: \$106,495

For: Parks Maintenance Storage
Building

- (J) Authorization for use of Targets of
Opportunity funds for F. Scott
Fitzgerald Centennial Committee
(\$1,000) and expenses associated with
Rockville Day in Annapolis (\$2,500).

Re: (A) Increase Bid #10-95
To: Snider, Blanchard, Lassod
T/A Snider & Associates
Of: Gaithersburg, MD
In the amount of: \$40,000

For: Additional survey services
for Recreation and Public Works

Councilmember Harrison requested removal of the item in order to ask for additional information about the Falls Road project. Recreation and Parks Director Burt Hall explained that the bid award was a requirements contract initially for Recreation and

Parks although it incorporated some survey needs of the Department of Public Works. He said that he believed the work was for sidewalk improvements and other work in the area between West Montgomery Avenue and the Falls Road interchange. City Manager Kuckkahn was asked to provide additional information about the work on Falls Road. Upon motion of Councilmember Harrison, duly seconded and unanimously passed, Bid #10-95 to Snider, Blanchard, Lassod T/A Snider & Associates was increased by \$40,000, to allow for the purchase of additional survey services for Recreation and Public Works.

Re: (F) Award of RFP #50-96
To: InTrans, Inc.
Of: Columbia, MD
In the amount of: \$24,976.36

For: Consultant Services for
Bikeway Master Plan Update and
Hiker/Biker Trails Study

Councilmember Marrinan explained that the RFP was being awarded for consultant services for a Bikeway Master Plan Update and a Hiker/Biker Trails Study. A citizens committee would be formed and input from the general public would be welcomed. Mr. Marrinan said the City was also committed to working with the County on the issue, and that the study will deal with the current bike trails in the City as well as future growth of such trails in the King Farm area. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, RFP #50-96 was awarded to InTrans, Inc.

Re: (H) Award of Bid #IFB
6506000015 (Montgomery
County)
To: Morton Salt Division
Of: Chicago, IL
In the amount of: \$34,920

For: Purchase of additional bulk
road salt because of severe
weather conditions.

Councilmember Marrinan noted that on January 11, the Mayor and Council also awarded a bid for the purchase of additional bulk road salt for the same cost, and he commented on the costs associated with snow removal efforts over the past several months. Mr. Kuckkahn said that the source of funding for the expense would be taken from excess funds in the spring leaf collection and road maintenance accounts and neither of the services would be sacrificed. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Bid #IFB 6506000015 was awarded to Morton Salt Division for the purchase of additional bulk road salt.

Re: (I) Receipt of financial reports
summarizing the results of City
operations for the period from
July 1, 1995, through December
31, 1995.

Councilmember Marrinan commented that real estate property taxes were down .3 percent from last year's levy and that appeals had been granted for further reducing the levy by \$78,000. Last year, appeals ultimately reduced the original levy by \$384,000 and overall property tax receipts were running approximately 1 percent below

last year's pace. Mr. Marrinan said that the City was not getting the tax revenue it needed to provide the services and while other sources of revenue were slightly increasing, the City was in a financial bind in terms of new programs and the Mayor and Council and staff would be faced with many difficulties in the next budget year.

In response to a question from Mayor Krasnow, Finance Director Kevin Deckard said that the pattern of a continuing slight decline in the City's tax base is what had been expected, and the City adapted by adjusting one year at a time and was therefore not in a position where services would have to be cut in order to deal with the declining tax base. Following questions from the Mayor and Council, Mr. Deckard noted that the income taxes grew quite steadily in the last few years and continue to do so, which he said was a testimony to the fact that Rockville continues to keep its unemployment rate low despite a protracted commercial downturn. He also noted that another strong point for the City's revenue stream was that a high percentage of the City's population had other types of income, e.g., capital gains.

Re: Discussion and Instructions to
Staff regarding the agreement to
sell Lot 7 to Rockville Center,
Inc.

Mayor Krasnow noted that there were two changes proposed in the Agreement; one regarding the time in which the City was required to record the plat for Lot 7 and the other relating to the Plat Meets and Bounds description. She suggested that discussion and instructions to staff be postponed until the details were dealt with. Without

objection, discussion and instructions to staff was tabled to a future meeting.

Re: Decision regarding sponsorship
of the "Pikes Peak" Roadrace

Mayor Krasnow said that the proposal was for a 10K race to run down Rockville Pike on April 28. Since the Mayor and Council last discussed the issue, Councilmember Harrison and Mayor Krasnow met with Montgomery County Road Runners Club (MCRRC) representatives John Sissala and Lyman Jordan to discuss the race. The Mayor and Council expressed the following concerns about the race:

- There is no significant benefit at this time to the City.
- The time frame is tight; the City was not brought into the process until late and businesses and others affected by the race had not been consulted. Although the MCRRC indicated that they would inform businesses three weeks prior to the race; Mayor and Council did not feel that this would be adequate time for those affected to prepare for the race. Concern was also expressed that the Chamber of Commerce should have been involved in the planning of the race.
- Councilmember Harrison noted a letter received from St. Mary's Church opposing the race, citing the potential for disrupting Sunday morning services.
- The projected growth of the race over the next several years would undoubtedly increase, and an analysis was needed of the impact on

Rockville streets, businesses and the 15 churches within one-half mile of the race.

- Public safety is a major concern in the northbound lane where there would a combination of vehicles and runners; spectators would be looking over cars to observe the runners; runners going one-way could end up in traffic going in the opposite direction; and runners wanting to leave the race would have to cross in front of cars.
- The Road Runners Club is now concerned about being billed for police support provided by the City and thus were now proposing to use crossing guards to keep costs down.
- City staff in preparing documents for the Mayor and Council's review, indicated that Rockville should receive recognition for supporting the race. However, announcements are out and tee-shirts are already produced and Rockville has yet to receive any recognition.

Councilmember Dorsey inquired whether the idea of starting the race two hours earlier had been addressed.

Mayor Krasnow said that the City had always worked well with MCRRC who have always done an outstanding job of putting on road races; however the concerns expressed regarding business involvement, public safety, and the impact on traffic were significant.

Other concerns were expressed by the Mayor and Council. Councilmember Marrinan expressed concern about the relatively short period of time to correct the many safety issues raised. Mayor Krasnow noted that if the race took place without the Mayor and Council's endorsement, the City's Police would still be involved. Councilmember Wright asked that the Mayor and Council receive a briefing on the progress of the race. Even if the Mayor and Council did not endorse the race and it were to still go forth, he questioned who would address the phone calls and letters the City would likely receive. Councilmember Dorsey said he hoped that the City's decision would not limit groups from proposing future events, and he said that he hoped every option for the race had been reviewed, including a different race route that did not pose a threat to safety.

Citing the amount of work put into the race by MCRRC, Mayor Krasnow suggested that Mayor and Council entertain a motion to not endorse the race, in case the Club was willing to react to the concerns expressed. Councilmember Wright said that should the race go forward, a number of issues still needed to be resolved for future years. Councilmember Harrison remarked that by opposing the race, the Mayor and Council were not sending a message that they opposed races in the City. By opposing the Pike's Peek race, the Mayor and Council were essentially "drawing the line" on shutting down such a large section of Rockville Pike on a Sunday morning because of the high inconvenience factor.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Mayor and Council voted 5 to 0 to oppose the Pike's Peek Road Race.

Councilmember Marrinan said that the MCRRC was a superb organization that worked well with City staff on a number of events; he said that the Mayor and Council wanted to cooperate with the Club; however, the Pike's Peek race dealt with too many issues which the Mayor and Council felt could not be addressed in the time frame for this year's race and future races.

Re: FYI/Correspondence

Re: New Business

There being no comments related to FYI/Correspondence and New Business, Mayor Krasnow closed these two portions of the meeting.

Re: Adjournment

There being no further business to come before the Mayor and Council, the General Session adjourned at 9:05 p.m. Upon motion of Councilmember Harrison, duly seconded and unanimously passed by a 5 to 0 vote, the Mayor and Council adjourned to Executive Session, pursuant to Section 10-508(a)(5) and (7) of the State Government Article, Annotated Code of Maryland, to consider the investment of public funds and to consult with counsel to obtain legal advice.